

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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IN RE: NEW ENGLAND COMPOUNDING)	MDL No. 2419
PHARMACY, INC. PRODUCTS LIABILITY)	
LITIGATION)	Master Dkt. No. 1:13-md-2419- RWZ
)	
_____)	
)	
This Document Relates To:)	
All Cases)	
)	
)	
_____)	

**ASSENTED-TO MOTION FOR EXTENSION OF TIME FOR DEFENDANT UNIFIRST
CORPORATION TO RESPOND TO PLAINTIFFS' STEERING COMMITTEE'S
MOTION FOR ENTRY OF DEPOSITION AND ESI PROTOCOLS**

Defendant UniFirst Corporation ("UniFirst") hereby moves, with the assent of the Plaintiffs' Steering Committee ("PSC"), for an extension of time until February 26, 2014 to respond to the PSC's Motion for Entry of Deposition and ESI Protocols (the "PSC's ESI Motion").

In support of this motion, UniFirst states as follows:

1. UniFirst has been named as a defendant in the Master Complaint and was first served with a short form complaint in this case on December 18, 2013. Since then, UniFirst has been named as a defendant in short form complaints filed in more than 250 cases currently pending in this MDL by plaintiffs residing in at least seventeen different states.

2. On January 10, 2014, nearly a month before counsel for UniFirst had appeared in this case, the Court directed the PSC "to meet and confer on drafting ESI and deposition

protocols as to the St. Thomas entities.” Dkt. # 862. On February 6, 2014, the PSC filed its ESI Motion. Dkt. # 876.

3. The PSC’s proposed order attached to the ESI Motion applies to “all cases that are presently pending or hereafter filed in this court or subsequently removed or transferred to this Court by the Judicial Panel on Multidistrict Litigation for coordination of pretrial proceedings relating to this matter, and applies to the class action cases.” Dkt # 876-1, at 1. UniFirst therefore has an interest in taking part in the dialogue concerning the ESI Motion and, if need be, filing an opposition and competing protocols.

4. UniFirst’s opposition to the PSC’s ESI Motion would be due Thursday, February 20, 2014, pursuant to Local Rule 7.1(b)(2). This deadline does not provide UniFirst with sufficient time to fully and thoughtfully analyze the issues presented by the PSC’s ESI Motion or to confer with the PSC about these matters.

5. Accordingly, UniFirst requests a brief extension, until February 26, 2014, to submit any papers in response to the ESI Motion. This brief extension of time will provide the parties with ample time to meet and confer, and will ensure that UniFirst has sufficient time to brief any remaining disputes. The parties do not believe that this extension will result in any undue delay.

6. Counsel for the parties have conferred and the PSC assents to the requested extension.

WHEREFORE, UniFirst respectfully requests, with the assent of the PSC, that the Court grant its motion and enter an Order extending UniFirst's time to respond to the PSC's ESI Motion until February 26, 2014.

Respectfully submitted,

DEFENDANT UNIFIST CORPORATION

By its attorneys,

/s/ James C. Rehnquist

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Dated: February 14, 2014

LOCAL RULE 7.1(A)(2) CERTIFICATION
AND CERTIFICATE OF SERVICE

I, James C. Rehnquist, hereby certify that counsel for Defendant, UniFirst Corporation, conferred by e-mail with opposing counsel in an effort to resolve or narrow the issues presented in this motion prior to filing, and opposing counsel assents to the relief sought herein.

I further certify that a copy of this document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system and Notice of Electronic filing (NEF) will be sent to these parties by operation of the CM/ECF system on February 14, 2014.

/s/ James C. Rehnquist